

CRIMINAL DOCKET - U.S. District Court

U.S.

(LAST, FIRST, MIDDLE)

Case Filed

Docket No.

Def.

PO ☐ 0417 4 Assigned 1707
Misd. ☐
Felony ☒ District Off Judge/Magistr.

☐ WRIT
☐ JUVENILE
☐ ALIAS
OFFENSE ON INDEX CARD

DOE, JOHN- PARMLEY, Larry
(changed per order of 3/24/88)

11 17 87
No of Defs 5

87 00049 05

U.S. MAG CASE NO.

I. CHARGES

U.S. TITLE/SECTION	OFFENSES CHARGED	ORIGINAL COUNTS	DISM NG
21:841(b)(1)(B)(ii) & 21:846	Conspiracy to import cocaine, Sch. II controlled substance - Ct. 1	1	<input type="checkbox"/>
21:841(a)(1) & 18:2	Distribution of cocaine and aiding and abetting Ct. 2	1	<input checked="" type="checkbox"/>

II. KEY DATE

INTERVAL ONE	END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)	INTERVAL TWO
KEY DATE: 3-24-88 EARLIEST OF: arrest, summons, custody, appears on complaint	KEY DATE: 11-17-87 APPLICABLE: indictment filed/unsealed, consent to Magr. trial on complaint, information, Felony/Waiver	KEY DATE: 5-31-88 APPLICABLE: 1st appears on pending charge/R40, Receive file R20/21, Supsdg. Ind Inf, Order New trial, Remand, G/P Withdrawn
1st appears with or waives counsel: 3-29-88	ARRAIGNMENT: 5-31-88	1st Trial Ended, 2nd Trial Began, DISPOSITION DATE, SENTENCE DATE

III. MAGISTRATE			
Search Warrant Issued	Summons Issued	Arrest Warrant Issued	COMPLAINT
DATE	INITIAL/NO.	DATE	INITIAL/NO.
PRELIMINARY EXAMINATION OR REMOVAL HEARING		OUTCOME:	
<input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED <input type="checkbox"/> INTERVENING INDICTMENT		<input type="checkbox"/> DISMISSED <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW	

Show last names and suffix numbers of other defendants on same indictment/information:

STYRON(1) TEEL(2) McGARY(3) STEVENS(4)

ATTORNEYS
U.S. Attorney or Asst.

Rocco J. deGrasse - AUSA 4243

Defense: 1 ☒ CJA. 2 ☐ Ret. 3 ☐ Waived. 4 ☐ Self. 5 ☐ Non / Other. 6 ☐ PD. 7 ☐ CD

Rt. 1, Box 634B
Newport, NC 28570

(Appt'd 3/29 - N/A 4/22)
Carl L. Tilghman
311 Turner St.
P. O. Box 748
Beaufort, N.C. 28516
728-2099

IV. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.

New Len. 4.1.1.

70 days up: w/o mot. 6/2/88

See: 9-6-88 - with

FINE AND RESTITUTION PAYMENTS					
DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER
Case 4:87-cr-00049-F Document 5 Filed 11/17/87 Page 1 of 6					

RULE 20 21 40 In Out

BAIL & RELEASE

PRE-INDICTMENT

Release Date	<input type="checkbox"/> Bail Denied	<input type="checkbox"/> Fugitive
AMOUNT SET	<input type="checkbox"/> Pers. Rec.	<input type="checkbox"/> PSA
Date Set	<input type="checkbox"/> 10% Dep.	<input type="checkbox"/> Surety Bnd
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> Collateral	<input type="checkbox"/> 3rd Prry
Date Bond Made	<input type="checkbox"/> Other	

POST-INDICTMENT

Release Date	<input type="checkbox"/> Bail Denied	<input type="checkbox"/> Fugitive
AMOUNT SET	<input type="checkbox"/> Pers. Rec.	<input type="checkbox"/> PSA
Date Set	<input type="checkbox"/> 10% Dep.	<input type="checkbox"/> Surety Bnd
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> Collateral	<input type="checkbox"/> 3rd Prry
Date Bond Made	<input type="checkbox"/> Other	

APPEALS FEE PAYMENTS

LETTER CODES

For identifying periods of excludable delay per 18 USC 3161 (h) (Sections in brackets)

A. Exam or hearing for mental/physical incapacity (18 USC 4244; (1) (A))

a. NARA exam (18 USC 2902) (1) (B))

C. State/Fed proceedings on other charges (1) (D))

D. Interim/appeal (1) (E))

E. Pleadings motion (from filing to hearing or to other prompt disposition) (1) (F))

F. Transfer from other district per FRCP 20.21 or 40 or Mag Rule 6a (1) (G))

G. Proceedings under advisement not to exceed 30 days after all necessary submissions filed and hearings completed (1) (J))

H. Misc. proceedings arraignment, parole/probation, revocation, Deportation, extradition (1) (I))

5. Deferral of prosecution (per 28 USC 2902) (1) (H))

6. Transportation from another district or to/from examination or hospitalization in 10 days or less (1) (H))

7. Consideration by Court of proposed plea agreement (1) (I))

I. Prosecution deferred by mutual agreement (1) (I))

M. Unavailability of defendant or essential witness (1) (A, B))

N. Period of mental/physical incompetence of def to stand trial (1) (4))

O. Period of NARA commitment/treatment (1) (5))

P. Superseding indictment and/or new charges (1) (6))

R. Def awaiting trial of co-defendant & no severance has been granted (1) (7))

T. Continuances granted per (1) (8) use "T" alone if more than one of the following reasons (1) thru (14) is given in support of continuance (1) (8) (A, B))

T1. Failure to continue would stop further proceedings or result in miscarriage of justice (1) (8) (B, (1))

17. Case unusual or complex (1) (8) (B, (1))

T3. Indictment to arrest can't be filed in 30 days (1) (8) (B, (1))

T4. Continuance granted to obtain or substitute counsel, or give reasonable time to prepare (1) (8) (B, (1))

U. Time up to withdrawal guilty plea, 3161 (b)

W. Grand Jury indictment time extended 30 more days, 3161 (b)

(OPTIONAL) Show last names of defendants		V. PROCEEDINGS		
11-17-87	1.	DOE INDICTMENT FILED	Copies dist.	
11-20-87		REQUEST for warrant for arrest by the U.S. Attorney		
		WARRANT FOR ARREST	ISSUED ORIGINAL and 1c: to U.S. Marshal and 1c: U.S. Attorney	jp
3/22/88	2.	MOTION FOR CHANGE OF NAME by AUSA; attached affidavit of Special Agent Christopher Jackson; cy to Mag. McCotter		bb
3/24/88		INITIAL APPEARANCE at New Bern-Mag. McCotter; def't advised of rights, charges & max. penalties; def't unsure at this time of atty. status; CJA 23 executed & approved; to advise the court if he wishes the court-appt'd attorney or if he will retain private counsel; released on \$10,000 property bond to be executed on or before Wednesday, Mar. 30, 1988, 5:00 P.M.		bb
"	3.	WAIVER OF COUNSEL AT INITIAL APPEARANCE		
"	4.	ORDER SETTING CONDITIONS OF RELEASE-def't released today on \$10,000 secured bond w/following conditions: 1. maintain or actively seek employment 2. shall not leave EDNC 3. avoid contact w/any other co-defts. in indictment 4. report to USPO once weekly or as scheduled by USPO 5. refrain from possessing firearm, destructive device, or other dangerous weapon 6. refrain from excessive use/possession of alcohol/drugs unless prescribed 7. execute secured bond-\$10,000-on or before Wednesday, Mar. 30, 1988-5:00 p.m. (posted property-Isaac & Serena Parmley, Rt. 1, Box 634 Newport, NC) 8. obtain no passport 9. Contact attorney at least once weekly def't released on conditions set forth above; bond signed by suretors on 3/30/88; cys to def't; AUSA; USMS; USPO; def't atty		bb
3/24/88	5.	ORDER-the Clerk is directed to make the necessary changes to reflect the proper identification of this defendant by name in all court records, including the indictment, warrant, notices, calendars, etc.; this 24th day of March, 1988; McCOTTER, C.K., U.S. Mag.; cys to AUSA: FPD; USMS; USPO; CR OB#7, p.1; Ent: 3/24/88		bb
3/24/88	6.	ORDER ON PRE-TRIAL SCHEDULING-ORDERED that the attorneys have pre-trial discovery conference and conclude all discovery on or before April 13, 1988; all pre-trial motions to be filed no later than April 25 1988; responses to be filed within 10 days; McCOTTER, C.K., Jr., U. S. Mag.; cy to AUSA; Judge Fox & def't atty;		bb
3/28/88	7.	ORDER-def't is to notify the Court if he has retained counsel; and, if so, counsel is to enter a Notice of Appearance no later than March 28, 1988; If he cannot afford an attorney, he is to make application for the appointment of counsel on or before March 28, 1988; this 25th day of March, 1988; McCOTTER, C.K., Jr.; cc to def't		bb
3/29/88-		def't-advised-telephonically-he-wishes-court-appt'd-counsel; counsel-appt'd-by-FPD-		-bb
3/28/88	8.	ORDER-a hearing is scheduled for Wednesday, March 30, 1988, at 11:00 a.m. in New Bern, to discuss defendant's intentions regarding counsel and to further review		

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

PARMLEY, Larry

AO 256A *

87 00049 05
Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.)				
	defendant's bond conditions. The defendant is to have the necessary paperwork to be presented to the court at that time regarding his bond; this 28th day of March, 1988; McCotter, C.K., Jr., U.S. Mag; CR OB#7, p. 2; cc to def't; AUSA; USPO; Ent. 3/28/88	bb			
3/29/88	def't advised court telephoncally he wishes to have court assigned counsel;	bb			
3/29/88	9. ORDER- the Federal Public Defender is directed to provide representation in this action; the Clerk shall issue a subpoena for any witness necessary to present an adequate defense to the pending charge or charges; FURTHER ORDERED that the United States Marshal shall serve any subpoena presented to him in this case by the office of the Federal Public Defender, and shall pay the appropriate fees and expenses to witnesses so subpoenaed, in accordance with Federal Rule of Criminal Procedure 17(b) and the May 26, 1987 Standing Order of this Court filed in the Miscellaneous Order Book #4, at page 115. McCOTTER, C.K., Jr., U.S. Mag; cys to AUSA; FPD Ent. 3/29/88	bb			
3/30/88	Hearing re bond conditions & atty. @ New Bern; def't present w/atty & parents; court accepts property posted as sufficient to cover required bond; notice of appearance to be filed by atty.	bb			
3/30/88	10. APPEARANCE BOND-for the amount of \$10,000 to be secured by property; signed by suretories Isaac Parmley and Serena Parmley w/attached following documents: 1. Appraisal by First Citizens Bank & Trust 2. Personal Lines Fire Inquiry (Nationwide Ins.) 3. Recorded Deed of Trust 4. Promissory Note in amount of \$10,000 to Clerk, U.S.Dist. Ct. 5. Title Opinion original of all documents & copy of Appearance Bond given to Financial deputy on 4/14/88	bb			
4/14/88	Called Mr. Tilghman's office to remind we need notice of appearance	bb			
4/20/88	RETURN ON WARRANT FOR ARREST - arrested on 3/24/88 by Chirs C. Jackson, S/A				
4-22-88	11. NOTICE OF APPEARANCE by Atty. Carl L. Tilghman.				
5/4/88	ISSUED NOTICE case set for Arraignment and Trial on 5/31/88, 9:00 A.M. @ New Bern; cy to AUSA & defense counsel	bb			
5/31/88	ARRAIGNMENT @ New Bern; Judge Fox; Lib Leonard, ct. reporter; def't not present; ct. ordered instantner warrant be issued; def't present instantner warrant withdrawn prior to being typed def't stated he heard several instruments def't sworn-competent to plea				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.) 12. MEMORANDUM OF PLEA AGREEMENT PLEA: Guilty - Ct. 1; Not Guilty - Ct. 2 Rule 11 conducted Guilty plea to ct. 1 accepted; cannot withdraw plea def't motion to d/m Ct. 2 allowed factual basis Sentencing: 9/6/88 - 9:00 A.M. - Wilmington Bond-cont'd				
8/11/88	ISSUED NOTICE TO APPEAR - set for sentencing on Tuesday, September 6, 1988, at 9:00 A.M.. in Wilm., N.C. before Judge Fox . - lc: USA & Mr. Tilghman, USPO, USM, Joyce Todd and Wilm. Office and Court Reporter				
8/30/88	12. MOTION TO CONTINUE SENTENCE HEARING - moves to continue sen. from 9/6/88 Session for at least a period of 30 days. w/cs. lc: Judge Fox		8-30-88 8/31/88		
8-31-88	13. ORDER - deft's mtino to continue is GRANTED - sentencing hearing in this case is rescheduled for the term of court to be held in Wilm., N.C. on 10/3/88. (Fox, J) Cr. OB#7, P. 171 lc: USA, USM, USPO and Mr. Tilghman (ent. 8/31/88)				
9/16/88	ISSUED NOTICE TO APPEAR - set for sentencing on Monday, October 3, 1988, at 9:00 A.M.. in Wilmington, N.C. before Judge Fox . - lc: USA & Mr. Tilghman				
10/3/88	Wilm. - Judge Fox - Talley Taylor - Ct. Reporter Pre-Sen. Report Discussed No evidentiary evidence				
	14. JUDGMENT AND PROBATION/COMMITMENT ORDER - (Ct. 2 dismissed) - Sen. by guideliens in effect prior to 11/1/87 Ct. 1 - 4 yrs. w/o parole Deft. is to pay a special assessment in the amount of \$50.00 Deft. is allowed to go under existing bond and report at own expense to designated inst. at 12 noon on 10/17/88 or such later date upon notification from USM. (Fox, J) Cr. OB#7, P. 195. lc: USPO, deft., Mr. Tilghman, Robert Forcum and Judge Fox 2c: USA and USM (ent. 10/7/88)				
10/5/88	15. ORDER TO SURRENDER - lc: USM, deft. and Mr. Tilghman 16. ORDER - deft. in this action will be sentenced according to the procedures in effect prior to 11/1/87. (Fox, J) CR. OB#7, P. 194. lc: USA, USPO and Mr. Tilghman (ent. 10/7/88)				
11/30/88	16. ORDER - cancelling liability of deft. on bond since he reported to FCI, Petersburg on 11/4/88 - J. Rich Leonard. (w/permission of Clerk - original Deed, Promissory Note, etc., mailed to Mr. Isaac Parmley, Rt. 1, Box 634 Newport, N.C. 28570 by cover letter - cys. of cover letter and Order to Mr. Tilghman, ATty.) Certified mail #P 658 646 124)				
1/30/89	MOTION TO REDUCE SENTENCE PURSUANT TO RULE 35, F. R. CR. P. 1 cy: Judge Fox				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

LARRY DARNELL PARMLEY

NO. 87-49-05-CR-4

AO 256A *

Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
2/2/89	Motion for reduction of sentence pursuant to Rule 35 is denied (James C. Fox, U. S. D. Judge CR OB # <u>8</u> P <u>39</u>) ent. 2/2/89		ag		
3/7/89	RETURN ON J&C issued 10/3/88 - self - surrendered 11/4/88 to FPC Petersburg, Va. - Al Pierce, Legal Technician. (see 11/30/88 for return of property on deed.)		sr		
4/26/89	TRANSCRIPT - of sentencing before Judge Fox on 10/3/88 at Wilm. - Vol. 1 - pages 1 thru 9.				
4/28/89	RECEIVED - Letter w/attached letter from def. from Mr. Tilghman to Judge Fox - re: removing the w/o parole from the defendant's sentence. (Judge Fox's office has the original).		sr		
5-17-89	ADVISED by Judge's Office that letter was written on on 5/1/89 to Mr. Tilghman w/cy. to USA in response to letter received 4/28/89.		sr		

AO 256A

Case 4:87-cr-00049-F Document 5 Filed 11/17/87 Page 6 of 6